

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATTI**

SLUSH PUPPIE LIMITED,

Plaintiff,

v.

THE ICEE COMPANY,

Defendant.

CASE NO. 1:19-cv-00189-MRB

Judge Michael R. Barrett

**[PROPOSED ALTERNATE¹] ORDER GRANTING THE ICEE COMPANY'S MOTION
FOR SUMMARY JUDGMENT ON SPL'S EIGHTH CLAIM FOR RELIEF IN ITS
SECOND AMENDED COMPLAINT**

AND NOW this _____ day of _____, 2022, it is hereby
ORDERED that Defendant The ICEE Company's Motion for Summary Judgment is
GRANTED, as follows:

1. Judgment is entered for Defendant The ICEE Company and against plaintiff Slush Puppie Limited on Count Eight of Slush Puppie Limited's Second Amended Complaint.
2. Judgment is entered for Defendant The ICEE Company and against plaintiff Slush Puppie Limited on any claims or parts of claims by Slush Puppie Limited alleging liability or damages based on the premise that ICEE did not properly terminate the 1996 Manufacturing Appointment or the 1999 Distributor Agreement on June 25, 2019..

IT IS SO ORDERED.

¹ This proposed order is presented in the alternative in the event that the Court grants SPL's motion to amend, Doc. 72. By presenting this alternative, ICEE does not waive its position that the motion should not be granted.

MICHAEL R. BARRETT, JUDGE
UNITED STATES DISTRICT COURT